

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:
CITY OF DETROIT, MICHIGAN.

Chapter 9
No. 13-53846

Debtor.

HON. STEVEN W. RHODES

**EX PARTE MOTION OF THE STATE OF MICHIGAN
FOR LEAVE TO FILE A SUPPLEMENTAL RESPONSE TO THE
ELIGIBILITY OBJECTIONS RAISING ONLY LEGAL ISSUES**

In its initial response, the State of Michigan did not address whether Michigan's Pension Clause would prevent this Court from confirming a plan of adjustment that would impair unfunded pension obligations. The State did not address that issue because this Court's order expressly directed the parties not to: "the Court will not consider the issue of the treatment of pension rights when considering the eligibility objection in paragraph 9." (Doc. # 642, 8/26/13 Order, at 6.)

The Court's amended order reverses that directive. It expressly abrogates the restriction against addressing the issue of unfunded pension obligations. (Doc. # 821, 9/12/13, at 6.)

Accordingly, the State respectfully moves for leave to file, on or before October 4, 2013, a supplemental response to address this issue, given that the Court has now provided new guidance suggesting the issue may be relevant to the eligibility determination.

Respectfully submitted,

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s/Matthew Schneider
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CERTIFICATE OF SERVICE (E-FILE)

I hereby certify that on September 20, 2013, I electronically filed the above document(s) with the Clerk of the Court using the ECF System, which will provide electronic copies to counsel of record.

s/Matthew Schneider

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SUMMARY OF ATTACHMENTS

The following documents are attached to this Motion, labeled in accordance with Local Rule 9014-1(b).

Exhibit 1	Proposed Form of Order
Exhibit 2	None [Motion Seeks Ex Parte Relief]
Exhibit 3	None [Brief Not Required]
Exhibit 4	None [Separate Certificate of Service To Be Filed]
Exhibit 5	None [No Affidavits Filed Specific to This Motion]
Exhibit 6	None [No Documentary Exhibits Filed Specific to this Motion]

EXHIBIT 1

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This matter coming before the Court on the *Ex Parte* Motion of the State of Michigan for Leave to File a Supplemental Response to the Eligibility Objections Raising Only Legal Issues, filed by the State, and the Court being fully advised in the premises;

IT IS HEREBY ORDERED THAT:

1. The motion is GRANTED.
2. The State is granted leave to file a supplemental response to the eligibility objections raising only legal issues on or before October 4, 2013.